

**CASE OF LEHON
AND**

**TEDDER IS
POSTPONED**

Hearing Continued to
Monday

on Account of
Morris

Brandon's
Absence

Morris Brandon, of the firm of Rosser, Brandon, Slaton & Phillips, Attorneys for Leo M. Frank, will be the Chief Witness

Monday at the trial of Dan H. Lehon, C. C. Tedder and Arthur Thurman, indicted for alleged subornation of perjury.

At the request of Arthur Powell, one of the Attorneys for the three Defendants, the Case was postponed Thursday by Judge Hill until Monday at noon. The Defendants were in court; Jim Conley, held for the past two days at the Fulton Tower, was locked in the prisoners' cell in the Basement, waiting to be called as a witness; Rev. C. B. Ragsdale and R. L. Barber were present as witnesses, and many other witnesses were waiting to testify.

The Case was postponed because of the absence of Attorney Morris Brandon. Mr. Brandon is in New York, said Attorney Powell. The testimony of Mr. Brandon will be of the greatest importance to the Defense. Mr. Brandon will testify, it is understood, that he himself drew up the Affidavit of R. L. Barber, in which Barber stated C. B. Ragsdale told him he overheard Jim Conley confessing he killed Mary Phagan. Barber and Ragsdale, it will be remembered, after making Affidavits to this effect, later said these Affidavits were not true. Dan S. Lehon, the Southern Representative of the Burns Detective Agency; C. C. Tedder and Arthur Thurman were then indicted for subornation of perjury, it being charged that they, knowing Ragsdale and Barber were lying, procured the Affidavits nevertheless.

Morris Brandon's testimony will be, it is understood, that he, as an Attorney for Leo M. Frank, questioned Barber and Ragsdale and then drew up the Affidavits for them, there being no reason to doubt what they said was true. Mr. Brandon will also testify, it is understood, that neither Tedder nor Thurman nor Lehon were instrumental in drawing up these Affidavits, as far he (Brandon) knows.

Jim Conley, it is understood, will be used by the State as a witness to deny that he ever made the Confession alleged in the Affidavits.

Judge Powell also announced in Court that he was preparing to file a demurrer to the special indictment against Tedder, Lehon

and Thurman. This indictment, drawn up by Solicitor Dorsey, was returned by the Grand Jury January 5. Other indictments had been drawn up, but these will not be used against the Defendants. A demurrer was filed by Judge Powell against these former indictments, which were later withdrawn and the new one made out. The demurrer which Judge Powell will file to the new indictment attempts to throw it out on the ground that it does not set up a crime against the Defendants.

Judge Hill said he was determined that the Cases against Tedder, Thurman and Lehon should be tried and disposed of, unless some legal excuse was offered for postponement, and set Monday for the hearing.

These Cases have been set for trial many times but have been postponed each time.
